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Attorneys for Defendants

20 **UNITED STATES DISTRICT COURT**

21 **DISTRICT OF NEVADA**

22 RACHEL SHEPPARD, *et al.*,

23 Plaintiffs,

24 vs.

25 MANDALAY BAY, LLC, f/k/a
26 MANDALAY CORP., *et al.*,

27 Defendants.
28

Case No. 2:18-cv-01120-RFB-VCF

**STIPULATION AND [PROPOSED]
ORDER REGARDING STAY PENDING
MEDIATION**

1 WHEREAS Plaintiffs and Defendants dispute whether Defendants are liable for injuries
2 sustained by Plaintiffs at the Route 91 Harvest Festival;

3 WHEREAS related actions regarding Defendants' potential liability arising from the Route
4 91 Harvest Festival are pending in this and other jurisdictions;

5 WHEREAS counsel for the parties in this action and the related actions have met and
6 conferred, and currently are planning and scheduling a mediation; and

7 WHEREAS the parties believe that a stay of all pending litigation would facilitate mediation
8 and make resolution more likely;

9 WHEREAS the parties are concurrently stipulating to stay this action and related actions,
10 including but not limited to *Maggiore v. MGM*, No. 2:18-cv-5640 (C.D. Cal.); *Pereda v. MGM*, No.
11 2-18-cv-5570 (C.D. Cal.); *Ramirez v. MGM*, No. 2-18-cv-5564 (C.D. Cal.), and the declaratory
12 relief actions filed by Defendants, *MGM v. Aase*, No. 2:18-cv-06113 (C.D. Cal.); *MGM v. Abner*,
13 No. 2:18-cv-06197 (C.D. Cal.); *MGM v. Corbin*, No. 3:18-cv-00168 (D. Alaska); *MGM v. Booth*,
14 No. 2:18-cv-02250 (D. Ariz.); *MGM v. Acosta*, No. 2:18-cv-01288 (D. Nev.); *MGM v. Eardley*, No.
15 2:18-cv-00567 (D. Utah); *MGM v. Brasfield*, No. 1:18-cv-22883 (S.D. Fla.); *MGM v. Archembeault*,
16 No. 4:18-cv-02465 (S.D. Tex.); *MGM v. Socci*, No. 1:18-cv-06451 (S.D.N.Y.);

17 IT IS HEREBY STIPULATED AND AGREED THAT:

18 1. All proceedings in this action shall be stayed pending mediation;

19 2. This stay is conditioned upon the entry of this order and a similar stay order, dismissal,
20 or other resolution in each of the matters identified above within 30 days;

21 3. The parties shall report to the Court on the status of the mediation within 60 days of entry
22 of the stay in this action, and then every 60 days thereafter;

23 4. Any party may revoke its agreement to stay this action by providing the other parties and
24 the Court 15 days' written notice; and

25 5. If either the conditions of the stay are not satisfied, or any party revokes its agreement to
26 stay this action, the PMK deposition noticed by Plaintiffs of MGM's and CSC's PMK's shall occur
27 within 14 days after either the expiration of the 30-day period described in Paragraph 2 or revocation
28 of this agreement becomes effective.

1 DATED: October 25, 2018

ROBINSON CALCAGNIE, INC.

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/s/ Mark P. Robinson, Jr.

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Mark P. Robinson, Jr.

Daniel S. Robinson

5 DATED: October 25, 2018

ELGET PRINCE

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/s/ Robert T. Eglet.

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Robert T. Eglet

Richard K. Hy

9

Robert M. Adams

10 DATED: October 25, 2018

PANISH SHEA & BOYLE LLP

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12

/s/ Kevin R. Boyle

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Kevin R. Boyle

Rahul Rayipudi

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Counsel for Plaintiffs

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16 DATED: October 25, 2018

PISANELLI BICE PLLC

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18

/s/ James J. Pisanelli.

19

James J. Pisanelli

Todd L. Bice

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Debra L. Spinelli

21 DATED: October 25, 2018

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/s/ Bethany W. Kristovich.

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Michael R. Doyen

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Daniel B. Levin

Bethany W. Kristovich

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***Attorneys for MGM Resorts International,
Mandalay Bay, LLC, Mandalay Resort Group,
MGM Resorts Festival Grounds, LLC, MGM
Resorts Venue Management, LLC***

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1 **IT IS SO ORDERED:**

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3 DATED: October 26, 2018

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RICHARD F. BOULWARE, II
United States District Judge

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CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of October 2018, I caused to be electronically filed the foregoing via the Court's Electronic Case Filing (ECF) system. I understand that notification of this filing will be sent to all counsel of record in this matter who are on the Court's CM/ECF service list.

/s/ Bethany W. Kristovich.
Bethany W. Kristovich